

RULE 20.10
NEW SOURCE REVIEW
PORTABLE EMISSION UNITS TO BE LOCATED AT
FEDERAL MAJOR STATIONARY SOURCES
(ADOPTED 5/17/94; EFFECTIVE UPON EPA
DELEGATION OF AUTHORITY)

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NOTE: On May 17, 1994, Rule 20.10 was added to implement NSR and PSD requirements of the federal 1990 Clean Air Act Amendments. This rule will become effective upon EPA approval and upon EPA delegation of the authority to implement and enforce the NSR and PSD federal programs.

RULE 20.10. NEW SOURCE REVIEW - PORTABLE EMISSION UNITS TO BE LOCATED AT FEDERAL MAJOR STATIONARY SOURCES (Adopted 5/17/94; Effective upon EPA Delegation of Authority)

The purpose of Rule 20.10 is to satisfy the requirements of the 1990 federal Clean Air Act Amendments as they apply to San Diego County, for any portable emission unit which is to be located at a major stationary source.

(a) APPLICABILITY

Compliance in full with the provisions of Rule 20.4 shall be deemed to constitute compliance with the provisions of Rule 20.10. This rule applies to any new or modified portable emission unit and to any portable emission unit being moved from one stationary source to another.

(b) EXEMPTIONS

The exemptions contained in Rule 20.1, Section (b) apply to this rule. In addition, the provisions of this rule shall not apply to any previously permitted portable emission unit unless such unit is modified.

(c) DEFINITIONS

The definitions contained in Rule 20.1, Section (c) shall apply to this rule. In addition, for purposes of this rule, the following definitions shall apply.

(1) **"Initial Permit Issuance"** means the first instance an Authority to Construct is issued for an emission unit pursuant to Rules 20.1 and 20.10 as they are currently in effect.

(2) **"Previously Permitted"** means a portable emission unit which has a valid Authority to Construct or Permit to Operate issued pursuant to these Rules and Regulations prior to May 17, 1994 and that the emission unit has not been modified since May 17, 1994 or otherwise undergone initial permit issuance.

(3) **RESERVED**

(4) **RESERVED**

(5) **"Type III Portable Emission Unit"** means a portable emission unit that can be operated at stationary sources which have an aggregate potential to emit equal to or greater than the emission rates listed in Table 20.10 - 1. If the District has received final reclassification to a "serious" ozone non-attainment area by the federal Environmental Protection Agency, Table 20.10 - 1A shall be used.

TABLE 20.10 - 1
Federal Severe Ozone Nonattainment Classification

<u>Air Contaminant:</u>	<u>Emission Rate (Ton/yr)</u>
Particulate Matter (PM ₁₀)	100
Oxides of Nitrogen (NO _x)	25
Volatile Organic Compounds (VOC)	25
Oxides of Sulfur (SO _x)	100
Carbon Monoxide (CO)	100
Lead (Pb)	0.6

TABLE 20.10 - 1A
Federal Serious Ozone Nonattainment Classification

<u>Air Contaminant:</u>	<u>Emission Rate (Ton/yr)</u>
<i>Particulate Matter (PM₁₀)</i>	<i>100</i>
<i>Oxides of Nitrogen (NO_x)</i>	<i>50</i>
<i>Volatile Organic Compounds (VOC)</i>	<i>50</i>
<i>Oxides of Sulfur (SO_x)</i>	<i>100</i>
<i>Carbon Monoxide (CO)</i>	<i>100</i>
<i>Lead (Pb)</i>	<i>0.6</i>

NOTE: The emission rates specified in this Table shall be used only if San Diego County has received final reclassification to a "serious" ozone non-attainment area by the federal Environmental Protection Agency. As of May 17, 1994, San Diego County was classified as a "severe" ozone nonattainment area by the federal Environmental Protection Agency.

(d) STANDARDS

(1) BACT FOR NEW OR MODIFIED PORTABLE EMISSION UNITS

The Air Pollution Control Officer shall deny an Authority to Construct for any new or modified portable emission unit which has any increase in its potential to emit and which unit has a post-project potential to emit of ten pounds per day or more of particulate matter (PM₁₀), oxides of nitrogen (NO_x), volatile organic compounds (VOC), oxides of sulfur (SO_x), or carbon monoxide (CO), unless the applicant demonstrates that such unit will be equipped with Best Available Control Technology (BACT) for each such air contaminant.

(2) **RESERVED**

(3) **PREVENTION OF SIGNIFICANT DETERIORATION (PSD)**

The Air Pollution Control Officer shall deny an Authority to Construct for any portable emission unit which is expected to have a significant impact on any Class I area, as determined by an Air Quality Impact Analysis (AQIA), unless the following requirements are satisfied.

(i) **Federal Land Manager and Federal EPA Notification**

The Federal Land Manager and the federal Environmental Protection Agency (EPA) have been notified in writing. This notification shall include all of the information specified by Subsection (d)(4)(iv), the location(s) where operation of the portable emission unit may cause a significant impact on any Class I area, and the approximate distance from all Class I areas within 100 km of San Diego County (as specified in Rule 20.1, Table 20.1 - 3) and the results of the AQIA, and

(ii) **CARB, SCAQMD and Imperial County APCD Notification**

The California Air Resources Board (CARB), the South Coast Air Quality Management District (SCAQMD) and the Imperial County Air Pollution Control District have been notified and have been provided the information specified in Subsection (d)(4)(iv).

(4) **PUBLIC NOTICE AND COMMENT**

The Air Pollution Control Officer shall not issue an Authority to Construct for any portable emission unit subject to the notification requirements of Subsection (d)(3), unless the following requirements are satisfied.

(i) **Public Comment Period**

At least 40 days before taking final action on an application subject to the requirements of Subsection (d)(3), the Air Pollution Control Officer shall:

(A) provide the public with notice of the proposed action in the manner prescribed in Subsection (d)(4)(iii), and

(B) make available for public inspection all information relevant to the proposed action as specified in Subsection (d)(4)(iv), and

(C) provide at least a 30-day period within which comments may be submitted.

The Air Pollution Control Officer shall consider all comments submitted.

(ii) **Applicant Response**

Except as agreed to by the applicant and the Air Pollution Control Officer and to the extent consistent with Rule 18, no later than 10 days after close of the public comment period, the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the Air Pollution Control Officer taking final action. The applicant's responses shall be made available for public review.

(iii) **Publication of Notice**

The Air Pollution Control Officer shall publish a notice of the proposed action in at least one newspaper of general circulation in San Diego County. The notice shall:

(A) describe the proposed action, and

(B) identify the location(s) where the public may inspect the information relevant to the proposed action, and

(C) indicate the date by which all comments must be received by the District for consideration prior to taking final action.

(iv) **Information to be Made Available for Public Inspection**

The relevant information to be made available for public inspection shall include, but is not limited to:

(A) the application and all analyses and documentation used to support the proposed action, the District's compliance evaluation, a copy of the draft Authority to Construct or Permit to Operate and any information submitted by the applicant not previously labeled Trade Secret pursuant to Regulation IX, and

(B) the proposed District action on the application, including the preliminary decision to approve, conditionally approve or deny the application and the reasons therefor.

(5) **EMISSION OFFSETS**

The Air Pollution Control Officer shall not issue an Authority to Construct for any portable emission unit unless emission offsets are provided on a pollutant specific basis for emission increases of non-attainment air contaminants and their precursors. Emission offsets shall be provided based on the portable emission unit Type, as specified in Table 20.10 - 3. If the District is reclassified to a "serious" ozone non-attainment area by the federal Environmental Protection Agency, the offset ratios shall be those specified in Table 20.10 - 3A. As provided for in Subsection (d)(5)(iii), interpollutant offsets may be used.

TABLE 20.10 - 3
Emission Offset Ratios
Federal Severe Ozone Non-Attainment Classification

<u>Portable Emission Unit Type</u>	<u>NO_x</u>	<u>VOC</u>	<u>Offset Ratio</u>		
			<u>PM₁₀</u>	<u>SO_x</u>	<u>CO</u>
Type III	1.3:1.0	1.3:1.0	1 : 1	1 : 1	1 : 1

TABLE 20.10 - 3A
Emission Offset Ratios
Federal Serious Ozone Non-Attainment Classification

<i>Portable Emission Unit Type</i>	<i>NO_x</i>	<i>VOC</i>	<i>Offset Ratio PM₁₀</i>	<i>SO_x</i>	<i>CO</i>
<i>Type III</i>	<i>1.2: 1.0</i>	<i>1.2: 1.0</i>	<i>1: 1</i>	<i>1: 1</i>	<i>1: 1</i>

NOTE: The offset ratios specified in this Table shall be used only if San Diego County has received final reclassification to a "serious" ozone non-attainment area by the federal Environmental Protection Agency. As of May 17, 1994, San Diego County was classified as a "severe" ozone nonattainment area by the federal Environmental Protection Agency.

(i) **RESERVED**

(ii) **Waiver of CO Offset Requirements**

Notwithstanding the offset provisions of this Subsection (d)(5), if an applicant demonstrates to the satisfaction of the Air Pollution Control Officer, by means of an AQIA, that the new or modified portable emission unit will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any state or national ambient air quality standard for carbon monoxide, emission offsets for carbon monoxide shall not be required.

(iii) **Interpollutant Offset Ratios**

The Air Pollution Control Officer may allow the use of interpollutant emission offsets at the ratios specified in Table 20.10 - 4 to satisfy the offset requirements of Subsection (d)(5). The interpollutant ratios shall be multiplied by the emission offset ratios required by Subsection (d)(5), to determine the final offset ratio.

TABLE 20.10 - 4
Interpollutant Offset Ratio

Emission Increase	Emission Decrease	Interpollutant Ratio
Particulate Matter (PM ₁₀)	PM ₁₀	1.0
	VOC	1.1
	NO _x	1.1
	SO _x	1.1
Oxides of Sulfur (SO _x)	SO _x	1.0
	PM ₁₀	1.1
	VOC	1.1
	NO _x	1.1
Oxides of Nitrogen (NO _x)	NO _x	1.0
	VOC	2.0
Volatile Organic Compounds (VOC)	VOC	1.0
	NO _x	1.0

(iv) Alternative Offsetting

Emission offsets required by Subsection (d)(5) may, instead of being provided on a unit by unit basis, be provided in the following manner.

(A) Emission Offset Pool

The owner or operator of a portable emission unit may satisfy the offset requirements of Subsection (d)(5), by the use of an emission offset pool. An emission offset pool shall consist of emission offsets which are designated for use by any number of portable emission units. Prior to renting, leasing or otherwise making portable emission units available for use, the owner or operator shall reserve the appropriate amount of offsets based on the portable emission unit Type. The following recordkeeping requirements shall apply:

(1) The owner of portable emission units shall maintain daily records containing sufficient information to ensure compliance with the provisions of this rule and compile these records into a log. The daily logs shall be kept and shall include the following information for each portable emission unit except those which are in a designated holding yard or in transit: the permit number, the portable equipment type, the date, the potential to emit of the unit (tons per year), the name of the stationary source where the unit is available for use, the stationary source's offset classification based on the stationary source's potential to emit (i.e. 25 to 100 tons per year, or over 100 tons per year; if the federal Environmental Protection Agency reclassifies San Diego County as a "Serious" ozone non-attainment area, 50 to 100 tons per year, or over 100 tons per year) for each pollutant emitted by the portable emission unit, the sum of all portable emission unit's potentials to emit which are available for use on that day, and a comparison between the sum of all portable emission units' potentials to emit, the required offset ratio, and the total amount of offsets (tons per year) in the offset pool.

(2) The owner shall summarize the daily logs into an annual compliance log and make the daily and annual logs and supporting documentation available to the District upon request.

(B) Temporary Limitation on Existing Emission Units

With the written concurrence of the permit holder, the Air Pollution Control Officer may place temporary limitations on the operation of any existing emission unit(s) at the stationary source where a portable emission unit is to be located, in order to create temporary offsetting emission reductions. Temporary emission reductions shall be provided for the entire period of time that the portable emission unit is located at the stationary source. Emission reductions created by the temporary shutdown or curtailment of existing unit(s) at the stationary source shall be used to offset the portable emission unit's potential to emit, provided the reductions satisfy the offset ratio requirements of Subsection (d)(5).

If a portable emission unit is brought onto a stationary source to remedy an immediately occurring emergency situation, notice of temporary credits to offset the portable emission unit emissions shall be made within 24 hours from the time the portable emission unit is made available for use at the affected stationary source.